

Application No.: 10/563,865
Art Unit: 1792

Response under 37 C.F.R. §1.111
Attorney Docket No.: 053537

REMARKS

Claims 17, 20 and 22-27, 30 and 32-42 are pending. Claims 37-42 are withdrawn.
Claims 17, 20, 22-27, 30 and 32-36 are rejected.

Applicants' Response to Claim Rejections under 35 U.S.C. §103

Claims 17, 20, 22-27, 30 and 32-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchimoto et al. (US 2004/005405) in view of Ishizuka et al. (US 2002,0027628).

In response thereto, applicants have herein perfected priority under 35 U.S.C. §119 to JP 2003-195002, which was filed on July 10, 2003, by submitting a verified English language translation of the priority document herewith. Wherefore, applicants respectfully submit that the rejection is now moot.

By perfecting priority, Tsuchimoto is no longer available as a prior art reference under 35 U.S.C. §102(a).

Under 35 U.S.C. §103(c), when a reference, utilized to make a rejection under 35 U.S.C. §103, is only available under 35 U.S.C. §102(e) and the reference was subject to an assignment to the same assignee as the current application, the rejection may be overcome by verifying that the applications were subject to the same assignee at the time of invention.

Applicants do hereby affirm that the current application and Tsuchimoto at the time of invention were subject to assignment to Nitto Denko Corporation.

Application No.: 10/563,865
Art Unit: 1792

Response under 37 C.F.R. §1.111
Attorney Docket No.: 053537

Wherefore, applicants respectfully submit that the rejection under 35 U.S.C. §103 is now moot.

CONCLUSION

In view of the foregoing remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/Michael J. Caridi/

Michael J. Caridi
Attorney for Applicants
Registration No. 56,171
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

MJC/dlt

Attachment: Verified English Translation of JP 2003-195002